

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20987 of 2024

Arising Out of PS. Case No.-221 Year-2023 Thana- TANKUPPA District- Gaya

1. Lallu Kumar Son Of Rajo Yadav Resident Of Village-Sonbigha, Police Station - Tankuppa, District - Gaya
2. Krishna Kumar @ Krishna Yadav Son Of Rajo Yadav Resident Of Village - Sonbigha, Police Station - Tankuppa, District - Gaya
3. Vikash Kumar Son Of Lalkeshwar Yadav Resident Of Village - Kadharia, Police Station - Fatehpur, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Aryan Singh, learned counsel for the petitioners and Mr. Umeshanand Pandit, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Tankuppa P.S. Case No. 221 of 2023, F.I.R. dated 02.11.2023 for the offences punishable under Sections 341, 323, 504, 307, 379, 427 and 506 of the Indian Penal Code.

3. According to prosecution case, petitioners are said to have assaulted the informant due to which he sustained injury.

4. Learned counsel for the petitioners submits that petitioners no. 2 & 3 have clean antecedent and petitioner no. 1



carries one criminal antecedent other than the present one and they have falsely been implicated in the present case. He further submits that the allegation as alleged is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. He further submits that there is case and counter case between the parties. He further submits that from a bare perusal of the FIR it appears that petitioners have assaulted the informant and his family members due to which they received injuries but the injury report of the injured persons suggests that the injuries are simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, there is case and counter case between the parties and injury received upon the informant's side is simple in nature, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate 1st Class, gaya in connection with Tankuppa P.S.
Case No. 221 of 2023, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure and
with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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